

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STERN/LEACH COMPANY,

Plaintiff

v.

ALMOND INTERNATIONAL, INC., ALMOND
STERLING, INC., ALMOND (THAILAND)
LIMITED, GOLD AND HONEY (1995) LP, GOLD &
HONEY, LTD., JONATHAN MANDELBAUM, and
MAURICE MANDELBAUM,

Defendants.

C.A. No. 1:08-cv-06065-DLC

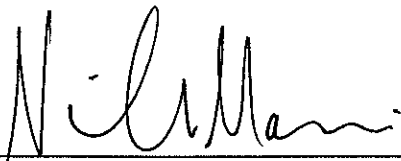
AFFIDAVIT OF NICHOLAS R. MANCINI

I, Nicholas R. Mancini, hereby depose and state upon personal knowledge the following:

1. I am an attorney licensed to practice law in the State of Rhode Island.
2. Following the institution of the above-captioned matter, I sought to secure service of process upon Defendant Almond (Thailand) Limited, a Thailand corporation not authorized to do business in the State of New York.
3. Pursuant to § 307(a) of the New York Business Corporation Law, the Summons and Complaint (with exhibits) in the above-captioned matter were served upon Almond (Thailand) Limited, through the Corporations Division of the New York Department of State, on July 18, 2008. A true and accurate copy of an Affidavit of Service is attached hereto as Exhibit 1.
4. On August 5, 2008, I mailed a copy of the Summons and Complaint (with exhibits) in the above-captioned matter to Almond (Thailand) Limited, 31 M 14 Serithai Road, Minburi, Minburi, Bangkok, 10510, via Federal Express International Mail service, with tracking. A true and accurate copy of the receipt evidencing said shipment is attached hereto as Exhibit 2. Upon information and belief, the address to which said materials were mailed is the address specified by Almond (Thailand) Limited for the purpose of mailing process on file with the Thai authority equivalent to New York Department of State as provided in § 307(b)(2) of the New York Business Corporation Law.

5. On August 12, 2008, I received a proof of delivery confirming shipment upon Almond (Thailand) Limited. The proof of delivery indicates that the shipment was signed for and delivery completed on August 8, 2008. A true and accurate copy of the proof of delivery is attached hereto as Exhibit 3.


SIGNED UNDER THE PENALTIES OF PERJURY THIS 4th DAY OF
SEPTEMBER 2008.



NICHOLAS R. MANCINI

STATE OF RHODE ISLAND
COUNTY OF

Subscribed and sworn to before me in the County of Providence ^{City} Town of
Providence, State of Rhode Island on this 4th day of Sept, 2008.



Notary Public
My Commission Expires on: 6/28/09

Exhibit 1

United States District Court
Southern District of New York

Stern/Leach Company,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE

Case # 08 CIV 6065

Almond International, Inc., et al.

Defendants.

COUNTY OF ALBANY SS:
STATE OF NEW YORK

Denise L. Dooley being duly sworn says: Deponent is over the age of eighteen years and is a resident of New York State, that: Deponent served the following specific papers in the above entitled action: Summons in a Civil Action and Complaint with Exhibits, under section 307 of the Business Corporation Law. The corporation which was served was **ALMOND (THAILAND) LIMITED**

That on the 18th day of July 2008 at approx. 11:30 a.m., at the office of Department of State of New York, in the City of Albany, one (1) copy of the aforesaid papers were served by personally delivering to and leaving with Carol Vogt known to me to be in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service, deponent paid to the Secretary of State the fee prescribed by Law in the amount of \$40.00.

Description of Carol Vogt - Senior Corporation Search Clerk
white female, approx. 50 yrs., 5'2", 100 lbs., brown hair



Denise L. Dooley

Sworn to before me
this 18th day of July, 2008.

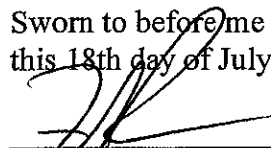

FRANK J. PANUCCI
Notary Public, State of New York
Qualified in Albany County
No. 4721156
Commission Expires July 31, 2010

Exhibit 2



Shipment Receipt

Address Information**Ship to:**

Select or enter
ALMOND (THAILAND)
LIMITED
31 M. 14 SERITHAI
ROAD MINBURI

MINBURI, BANGKOK,
empty

10510

TH

1111111111

Ship from:

N. MANCINI
ADLER POLLOCK &
SHEEHAN P.C
ONE CITIZENS PLAZA

8TH FLOOR
PROVIDENCE, RI

02903

US

4012747200

Shipping Information

Tracking number: 799360478224

Ship date: 08/05/2008

Estimated shipping charges: 75.86

Package Information

Service type: International Priority

Package type: FedEx Pak

Number of packages: 1

Total weight: 1LBS

Declared value: 0.00USD

Special Services:

Pickup/Drop-off: Give to scheduled courier at my location

Billing Information

Bill transportation to: Sender

Bill duties/taxes/fees to: Sender

Your reference:

P.O. no.:

Invoice no.:

Department no.:

Thank you for shipping online with FedEx ShipManager at fedex.com.

Please Note

FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details.

The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.

Exhibit 3



FedEx Express
Customer Support Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643
Telephone: 901-369-3600

August 12, 2008

Dear Customer:

The following is the proof-of-delivery for tracking number **799360478224**.

Delivery Information:

Status:	Delivered	Delivery location:	MINBURI, BANGKOK
Signed for by:	SUTAS	Delivery date:	Aug 8, 2008 09:43
Service type:	International Priority Service		

Signature images are not available for display for shipments to this country.

Shipping Information:

Tracking number:	799360478224	Ship date:	Aug 5, 2008
		Weight:	0.9 lbs.

Recipient:
MINBURI, BANGKOK TH

Shipper:
PROVIDENCE, RI US

Thank you for choosing FedEx Express.

FedEx Worldwide Customer Service
1.800.GoFedEx 1.800.463.3339